disclosure and the drawings as originally filed, and that no new matter has been added.

Claim Rejections Under 35 U.S.C. §102

The Examiner has rejected claims 1-3, 7-11, and 15-16 under 35 U.S.C. 102(e) as being anticipated by Sirbu et al. (U.S. Patent No. 5,809,144).

Claims 1-3, 7-8, 10-11 and 15-16 have been cancelled without prejudice. Claim 9 has been amended to overcome the Examiner's rejection.

Claim 9

The Examiner states that claim 9 is written in function method and contains the same limitations as claim 1, therefore the same rejections applied. Regarding claim 1, the Examiner states Sirbu et al. discloses a charging system for electronic commerce, which comprises a service provider terminal for providing service to a user via a network in response to a request from a user terminal, the system charging a user a fee corresponding to service, comprising:

a charge collection terminal for collection a fee from user, which fee is reflected by service provided by service provider terminal (referring to figure 3, item 16 and column 6, lines 20-37),

the charge collection terminal existing individually from said service provider terminal (referring to figure 1, item 16),

wherein user terminal generates service request data and digital signature data and transmits them via the network to service provider terminal, and the service request data is for requesting desired service for the user from service provider terminal and the digital signature data is created based on service request data (referring to figure 8 and column 9, lines 55-67).

Claim 9 has been three times amended to recite the step of providing said service request and digital signature to said accounting terminal when a disclosure request of service requests

and digital signatures is received. In regard to now cancelled claims 4-5 and 12-13, however, the Examiner concedes that Sirbu et al. does not disclose: when the user objects to the charge, in response to a fee collection notice from charge collection terminal, the user enables a sending of data stored in memory medium to charge collection terminal, and the charge collection terminal enables the read out service request data and digital signature data from memory medium to confirm the provided desired service. The Examiner states, however, that Elgamal (U.S. Patent No. 5,671,279) discloses: when the user objects to the charge, in response to a fee collection notice from charge collection terminal, the user enables a sending of data stored in memory medium to charge collection terminal, and the charge collection terminal enables the read out service request data and digital signature data from memory medium to confirm the provided desired service (referring to column 14, lines 35-40).

With respect to three times amended claim 9, as well as new claims 26, 37, 47, 53 and 63, it is respectfully submitted that Elgamal only discloses that *all* parties reproduce the applicable signature on the messages throughout the transaction in order for the acquirer to be able to settle the dispute. As understood, Elgamal does not explain which data is used in the procedure of settlement, when the service provider sends the data or from where the data is sent and whereto. Stated differently, Elgamal is not an enabling disclosure but instead is a reference which sets forth general requirements for handling a disputed transaction. The fact remains that the reference to the Elgamal, is an insufficient reference, and for that reason, it is respectfully submitted that three times amended claim 9 and new claims 26, 37, 47, 53 and 63 are patentable over Sirbu et al. in view of Elgamal.

Claim Rejections Under 35 U.S.C. §103(a)

The Examiner has rejected claims 4-5 and 12-13 under 35 U.S.C. §103(a) as being unpatentable over Sirbu et al. (U.S. Patent No. 5,809,144) in view of Elgamal (U.S. Patent No. 5,671,279).

Claims 4-5 and 12-13 have been cancelled without prejudice. The Examiner's rejection of claims 4-5 has, however, been addressed above in relation to three times amended claim 9 and new claims 26, 37, 47, 53 and 63. The Examiner's rejection of claim 4, however, is further addressed below in regard to new claims 30, 31-36, 51, 52, 67 and 68.

Regarding claim 4, the Examiner states that Sirbu et al. disclose: user terminal comprised memory medium which stores service request data (referring to figure 1, item 10). The Examiner concedes, however, that Sirbu et al. do not disclose: when the user objects to the charge, in response to a fee collection notice from charge collection terminal, the user enables a sending of data stored in memory medium to charge collection terminal, and the charge collection terminal enables the read out service request data and digital signature data from memory medium to confirm the provided desired service. The Examiner states that Elgamal discloses: when the user objects to the charge, in response to a fee collection notice from charge collection terminal, the user enables a sending of data stored in memory medium to charge collection terminal, and the charge collection terminal enables the read out service request data and digital signature data from memory medium to confirm the provided desired service (column 14, lines 35-40). The Examiner concludes that it would have been obvious to one with ordinary skill in the art at the time the invention was made to combine Sirbu et al.'s system with the step of sending data stored in memory medium as in Elgamal in order to improve the system of Sirbu et al. The Examiner further states that, when service provider charges a user a more amount than an amount to charge properly, user can submit request data and digital signature data stored in memory medium to the bank for correcting it.

It is respectfully submitted that the Examiner is in error in
regard to the teachings of Elgamal. The Examiner alleges that
Elgamal discloses that when the user objects to the charge, in
response to a fee collection notice from a charge collection terminal,
the user enables a sending of data stored in memory medium to
charge collection terminal, and the charge collection terminal enables
the read out service request data and digital signature data from
memory medium to confirm the provided desired service (column 14,
lines 35-40). It is respectfully submitted that, as understood,
Elgamal does not teach, suggest or indicate the use of any memory
medium to store service request data. As understood, Elgamal
teaches that a customer usually communicates directly with the
credit card issuer in the case that they have been overcharged or
erroneously charged (column 14, lines 35-40). In contrast,
applicant's invention, as recited in new claims 30 and 31 is directed
toward a method of requesting service of a service provider wherein
a service request and a digital signature are stored in a storage
medium, and when the user objects to a charge, in response to a
charge collection notice from an accounting terminal, the user
enables a sending of data stored in said storage medium to said
accounting terminal. Similarly, claims 51, 52, 67 and 68 are
directed toward a system for requesting service of a service provider
wherein a service request and a digital signature are stored in a
storage medium, and when the user objects to a charge, in response
to a charge collection notice from an accounting terminal, the user
enables a sending of data stored in said storage medium to said
accounting terminal. It is, therefore, respectfully submitted that
applicant's invention as set forth in claims 30, 31, 51, 52, 67 and
68 is patentable over Sirbu et al. in view of Elgamal.

New Claims 32-36

As set forth above, in regard to claim 4 the Examiner states
that Sirbu et al. disclose a user terminal comprised of a memory
medium which stores service request data (referring to figure, 1,

item 10). The Examiner's assertion is respectfully traversed. As understood, Sirbu et al. do not disclose a memory medium which store request data a digital signature as set forth in new claims 32-36. Instead, Sirbu et al. merely disclose that the customer computer 10 processes communication with the account server and the merchant computer 12. As understood, Sirbu et al. does not teach, suggest or indicate the storing of service request data and the digital signature. With regard to new claim 33, such claim is directed toward a storage medium wherein said service request and digital signature stored in said storage medium are impossible for the user to rewrite. As understood, Sirbu et al. does not teach, suggest or indicate such a feature. It is therefore respectfully submitted that claims 32-36 are patentable over the references relied upon by the Examiner.
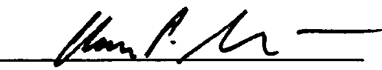
New Claims

Claims 17-68 have been added. Claims 37-52 are apparatus claims that, in general, parallel three times amended claim 9 and claims 17-31, respectively. Claims 53-68 are non-means plus function apparatus claims that, in general, parallel three times amended claim 9 and claims 17-31, respectively.

Conclusion

In view of the above, it is respectfully submitted that the application is now in condition for allowance. The Examiner's reconsideration and further examination are respectfully requested.

Respectfully submitted,

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Dated: _Sptember 11, 2000_   By: _____

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